

CIRCUIT COURT FOR
MONTGOMERY COUNTY, MARYLAND

MANOR CARE OF BETHESDA,
MD, LLC

Plaintiff,

v.

WILLIAM BEVAN

Defendant.

Case No. 482555-V

ORDER OF JUDGMENT

A trial was held in this case on January 20, 2022. As stated on the record, the Court determined that:

- Defendant, William Charles Bevan, Jr. ("Defendant Bevan"), had due notice of the trial date and time, but failed to appear;
- Property at 11229 Empire Lane Rockville, Maryland is owned by Defendant Bevan;
- Pursuant to Md. Code, Health General, § 19-344(c)(4)(vi), the funds available to Defendant Bevan to pay the Plaintiff/facility as determined by the medical assistance program include his equity in property at 11229 Empire Lane Rockville, Maryland; and
- COUNT III of Plaintiff's Complaint is moot.

Accordingly, it is this 24th day of January 2022 by the Circuit Court for Montgomery County, Maryland,

ORDERED, that, as to COUNT I of Plaintiff's Complaint, judgment is hereby entered in favor of the Plaintiff, Manor Care of Bethesda, MD, LLC, against Defendant Bevan in the amount of \$33,764.00, plus legal fees of

\$24,601.27, plus court costs, all of which relate to Defendant Bevan's care at Plaintiff's healthcare facility; and it is further

ORDERED, that, as to COUNT II of Plaintiff's Complaint, pursuant to Md. Code, Health General, § 19-344(c)(4)(vi), Defendant Bevan is hereby ordered to pay the Plaintiff \$58,365.27 within thirty (30) days of the date of this Order; and it is further

ORDERED, that if the Defendant Bevan does not pay the Plaintiff \$58,365.27 within thirty (30) days of the date of this Order, then Defendant Bevan must show cause within forty (40) days of the date of this Order why a Trustee should not be appointed as his agent to do so for him; and it is further

ORDERED, that if the Defendant Bevan does not show cause why a Trustee should not be appointed, then this Court upon written request will appoint ~~John C. Monahan, Esquire;~~ Hunter C. Piel, Esquire; or Zvi Guttman, Esquire as a Trustee for the express purpose of selling 11229 Empire Lane Rockville, Maryland, via broker within one hundred twenty (120) days of the date of this Order, and if the Trustee, in his discretion, is unable to do so, then the Trustee shall sell 11229 Empire Lane Rockville, Maryland at auction, within one hundred eighty (180) days of the date of this Order, without seeking further court guidance; and it is further

ORDERED, that the Trustee shall apply the sale proceeds first to all valid liens on the property, which must have been recorded before the date of this Order, then to the cost of sale, including the Trustee's fees and the broker's fees, then to pay the judgment, entered under Count I to the extent of \$58,365.27 with the surplus going to the Defendant William Bevan; and it is further

ORDERED, that the Defendant Bevan shall not allow any alienation or encumbrance of 11229 Empire Lane Rockville, Maryland from the date of this Order unless and until this Court allows him to do so; and it is further

ORDERED, that this order shall constitute a *Lis Pendens* as to 11229
Empire Lane Rockville, Maryland.



Harry C. Storm, Judge
Circuit Court of Maryland for Montgomery County